

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

TYRONE LEON PORTER, #2623-001

PETITIONER

V.

CIVIL ACTION NO. 3:17-CV-1000-DPJ-FKB

WARDEN CHRISTOPHER RIVERS

RESPONDENT

ORDER

This petition for writ of habeas corpus is before the Court on the Report and Recommendation of Magistrate Judge F. Keith Ball. At the time Tyrone Leon Porter filed this petition, he was a federal inmate incarcerated at the Federal Correctional Complex-Low at Yazoo City, Mississippi. R&R [17] at 1. Judge Ball summarized Porter's petition as follows:

In sum, Porter seeks to have the time he served on a state charge credited to his federal sentence, thereby shortening his time in federal custody. The novel aspect of this petition is that, at his request, the time Porter served on the state charge was vacated by the state court. Therefore, Porter argues that this time should now be credited toward his federal sentence.

Id. at 1 (citing 18 U.S.C. § 3585). According to the Bureau of Prisons Online Inmate Locator, Porter was released on April 30, 2019. *Id.* at 6.

Judge Ball considered and rejected Porter's petition on the merits and on grounds of mootness. *Id.* at 4–8. No objection has been filed, and the time to do so has passed. The Court agrees with the finding of Judge Ball and adopts the Report and Recommendation as the opinion of the Court. Porter's petition is denied, and this matter is dismissed. A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED this the 3rd day of June, 2019.

s/ Daniel P. Jordan III
CHIEF UNITED STATES DISTRICT JUDGE